



General Assembly

February Session, 2006

Amendment

LCO No. 3747

SB0029403747SD0

Offered by:

SEN. WILLIAMS, 29th Dist.
SEN. FINCH, 22nd Dist.
SEN. COLEMAN, 2nd Dist.
SEN. FASANO, 34th Dist.
SEN. RORABACK, 30th Dist.

REP. WILLIS, 64th Dist.
REP. WIDLITZ, 98th Dist.
REP. ALBERTS, 50th Dist.
REP. CHAPIN, 67th Dist.

To: Senate Bill No. 294

File No. 134

Cal. No. 133

"AN ACT CONCERNING FARMER'S MARKETS."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective from passage*) (a) For purposes of this
4 section:

5 (1) "Farmers' market" means a cooperative or nonprofit enterprise or
6 association that consistently occupies a given site throughout the
7 season, which operates principally as a common marketplace for a
8 group of farmers, at least two of whom are selling Connecticut-grown
9 fresh produce, to sell Connecticut-grown farm products directly to
10 consumers, and where the farm products sold are produced by the
11 participating farmers with the sole intent and purpose of generating a
12 portion of household income;

13 (2) "Fresh produce" means fruits and vegetables that have not been
14 processed in any manner;

15 (3) "Certified farmers' market" means a farmers' market that is
16 authorized by the commissioner to operate;

17 (4) "Farmer's kiosk" means a structure or area located within a
18 certified farmers' market used by a farm business to conduct sales of
19 Connecticut-grown farm products;

20 (5) "Connecticut-grown" means produce and other farm products
21 that have a traceable point of origin within Connecticut;

22 (6) "Farm" has the meaning ascribed to it in subsection (q) of section
23 1-1 of the general statutes;

24 (7) "Farm products" means any fresh fruits, vegetables, mushrooms,
25 nuts, shell eggs, honey or other bee products, maple syrup or maple
26 sugar, flowers, nursery stock and other horticultural commodities,
27 livestock food products, including meat, milk, cheese and other dairy
28 products, food products of "aquaculture", as defined in subsection (q)
29 of section 1-1 of the general statutes, including fish, oysters, clams,
30 mussels and other molluscan shellfish taken from the waters of the
31 state or tidal wetlands, products from any tree, vine or plant and their
32 flowers, or any of the products listed in this subdivision that have been
33 processed by the participating farmer, including, but not limited to,
34 baked goods made with farm products.

35 (b) A farmer's kiosk at a certified farmers' market shall be
36 considered an extension of the farmer's business and regulations of
37 Connecticut state agencies relating to the sale of farm products on a
38 farm shall govern the sale of farm products at a farmer's kiosk.

39 (c) A farmer offering farm products for sale at a certified farmers'
40 market shall obtain and maintain any license required to sell such
41 products.

42 (d) Section 22-6g of the general statutes, as amended by this act, or

43 this section shall not supersede the provisions of any state or local
44 health and safety laws, regulations or ordinances.

45 Sec. 2. Section 22-6g of the general statutes is repealed and the
46 following is substituted in lieu thereof (*Effective from passage*):

47 For the purposes of sections 22-6g to 22-6p, inclusive:

48 (1) "Application" means a request made by an individual to the
49 department for vendor certification in CFM/WIC on a form provided
50 by the department;

51 (2) "Authorized farmers' market" means a farmers' market that
52 operates within the service area and is a site authorized by the
53 department for the exchange of vouchers and Connecticut-grown fresh
54 produce;

55 (3) "Certified vendor" means an individual who has met all
56 CFM/WIC conditions as outlined by the department and who is
57 guaranteed payment on all vouchers accepted, provided compliance is
58 maintained by that individual regarding all CFM/WIC rules and
59 procedures as outlined in the vendor certification handbook;

60 (4) "Certified vendor identification stamp" means a department-
61 issued stamp that shall be utilized by the certified vendor during each
62 occurrence of voucher deposit in the financial institution of certified
63 vendor choice. This stamp shall remain the sole property of the
64 department and shall be forfeited by the certified vendor to the
65 department in the event of suspension;

66 (5) "Certified vendor identification sign" means a department-issued
67 sign which shall be clearly displayed by the certified vendor at all
68 times when accepting or intending to accept vouchers in an authorized
69 farmers' market. Signs shall remain the sole property of the
70 department and shall be forfeited by the certified vendor to the
71 department in the event of suspension;

72 (6) "Certified vendor number" means a personal identification

73 number issued by the department and assigned to an individual whom
74 the department has identified as a certified vendor;

75 (7) "Commissioner" means the Commissioner of Agriculture;

76 (8) "Department" means the Department of Agriculture;

77 (9) "Designated distribution WIC clinic" means a site authorized by
78 the department for dispersal of vouchers by the local WIC agency;

79 (10) "Distribution" means the process outlined by the department
80 and the means by which local WIC agencies actually dispense
81 vouchers to eligible participants;

82 (11) "Farm products" means any fresh fruits, vegetables,
83 mushrooms, nuts, shell eggs, honey or other bee products, maple
84 syrup or maple sugar, flowers, nursery stock and other horticultural
85 commodities, livestock food products, including meat, milk, cheese
86 and other dairy products, food products of "aquaculture", as defined in
87 subsection (q) of section 1-1, including fish, oysters, clams, mussels and
88 other molluscan shellfish taken from the waters of the state or tidal
89 wetlands, products from any tree, vine or plant and their flowers, or
90 any of the products listed in this subdivision that have been processed
91 by the participating farmer, including, but not limited to, baked goods
92 made with farm products;

93 [(11)] (12) "Farmers' market" means a cooperative or nonprofit
94 enterprise or association that consistently occupies a given site
95 throughout the season, which operates principally as a common
96 marketplace for a group of farmers, at least two of whom are selling
97 Connecticut-grown fresh produce, to sell Connecticut-grown [fresh
98 produce] farm products directly to consumers, and where the products
99 sold are produced by the participating farmers with the sole intent and
100 purpose of generating a portion of household income;

101 [(12)] (13) "Fresh produce" means fruits and vegetables that have not
102 been processed in any manner; [but does not mean nuts, popcorn,

103 vegetable plants or seedlings, dried beans or peas, seed or grains,
104 flowers, cider or eggs;]

105 [(13)] (14) "CFM/WIC" means the Connecticut farmers' market
106 supplemental food program for women, infants and children as
107 administered by the department;

108 [(14)] (15) "Local WIC agency" means an entity that administers
109 local health programs and which has entered into contract for voucher
110 distribution and related service with the department;

111 [(15)] (16) "Connecticut-grown" means produce and other farm
112 products that [has] have a traceable point of origin within Connecticut;

113 [(16)] (17) "Posted hours and days" means the operational time
114 frames stated in assurances submitted by a duly authorized
115 representative of an authorized farmers' market which includes a
116 beginning and an ending date for each year of operation;

117 [(17)] (18) "Participant" means a client of WIC who is at least one
118 year of age, who possesses one of the WIC classification codes selected
119 for inclusion by the Department of Public Health and who is an active
120 participant in a designated distribution clinic;

121 [(18)] (19) "Season" means a clearly delineated period of time during
122 a given year that has a beginning date and ending date, as specified by
123 the department, which correlates with a major portion of the harvest
124 period for Connecticut-grown fresh produce;

125 [(19)] (20) "Service area" means the geographic areas that encompass
126 all of the designated distribution clinics and authorized farmers'
127 markets within Connecticut for a given season;

128 [(20)] (21) "USDA-FNS" means the United States Department of
129 Agriculture-Food and Nutrition Service;

130 [(21)] (22) "Vendor certification handbook" means a publication by
131 the department that is based on USDA-FNS mandates and guidelines,

132 addresses CFM/WIC rules and procedures applicable to a certified
 133 vendor, and provides the basis for vendor training. A copy of the
 134 publication shall be issued to each individual prior to application. New
 135 editions supersede all previous editions;

136 [(22)] (23) "Voucher" means a negotiable instrument issued by the
 137 department to participants that is redeemable only for Connecticut-
 138 grown fresh produce from certified vendors at authorized farmers'
 139 markets, with a limited negotiable period that directly correlates to the
 140 season designated by the department;

141 [(23)] (24) "WIC" means the special supplemental food program for
 142 women, infants and children, as administered by the Department of
 143 Public Health."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	22-6g